

REMARKS

Applicants respectfully request favorable reconsideration of this application, as amended.

Claims 1-5, 9, 10, and 12 are presented for examination, with Claims 13-16, 19, 21, 23-27, and 30-54 having been withdrawn from consideration due to the Office's Restriction/Election requirement. Claims 11, 17, 18, 20, 22, 28, and 29 were previously cancelled without prejudice or disclaimer.

Claims 1-5, 9, 10, and 12 stand rejected under 35 U.S.C. § 112, second paragraph as allegedly being indefinite. Claims 1, 2, 5, 9, 10, and 12 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 4,684,025 to Copeland et al. ("*Copeland*"). Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Copeland* in view of JP Publication No. 63-189224 to Hiroaki ("*Hiroaki*").

Without acceding to the 35 U.S.C. § 112 rejection, independent Claim 1 has been broadened to delete the objected to term. Dependent Claims 3 and 10 have been amended for consistency. Withdrawal of the rejection is respectfully requested.

As to the anticipation rejection, Applicants respectfully traverse because *Copeland* fails to teach or suggest each and every feature of Claim 1. For example, Claim 1 recites a system for processing a simplified plastic container filled with a hot product, comprising, *inter alia*, means for filling a container body with the hot product in a production line. The Office Action has identified *Copeland*'s charging hoppers 21 as Applicants' claimed means for filling. According to *Copeland*, charging hoppers 21 fill each cup 30 with a pre-selected quantity of a granular product 40. *See* *Copeland*, col. 4, lines 33-39. *Copeland* makes no mention of the temperature of the granular product as it

is filled into a cup, let alone that the product is hot as it is filled. Thus, *Copeland's* charging hoppers do not perform the recited function of filling a container with a hot product. Nor is such function inherent to *Copeland's* charging hoppers.

Copeland does discuss heating film 10 to form cups 30 (col. 3, lines 54-68; col. 4, lines 1-32) and sealing the cups using heat or ultrasonics (col. 5, lines 63-68; col. 6, lines 1-9). However, such disclosure of heating a cup also does not perform the recited function of filling a container body with a hot product in a production line. Therefore, *Copeland* fails to teach or suggest Applicants' means for filling a container body with a hot product in a production line, as particularly recited in Claim 1.

Further, the Examiner has pointed to nothing in *Copeland* that is the same as or equivalent to the structure disclosed by Applicants for cooling, such as that described in the specification beginning at page 13, line 27 through page 14, line 2 or shown in Figure 4. Therefore, *Copeland* is deficient for this additional reason.

Hiroaki, used as a secondary reference to reject Claims 3 and 4, fails to cure the above-noted deficiencies of *Copeland*.

Additionally, various means in Claim 1, such as the claimed means for filling, means for transporting, and means for supporting, are for a container with a projection extending from the container body. *Copeland* is not seen to teach or suggest a projection extending from cup 30. Moreover, *Hiroaki*, is directed to forming a container, not to Applicant's claimed filling, transporting, and supporting (means) for a container with a projection extending from the container body.

In view of the foregoing, Claim 1 distinguishes patentably from the collective disclosures of *Copeland* and *Hiroaki*. Claims 2, 3, 4, 5, 9, 10, and 12 are allowable at least based on their dependence from Claim 1.

Accordingly, Claims 1-5, 9, 10, and 12 distinguish patentably from the collective disclosures of *Copeland* and *Hiroaki* and are allowable.

A Notice of Allowance is respectfully requested.

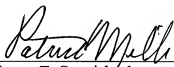
Should the Examiner believe that any further action is necessary to place this application in better form for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T4289FP-13495US01) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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